

Amendment No. 2 to HB1492

Keisling
Signature of Sponsor

AMEND Senate Bill No. 1497*

House Bill No. 1492

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 38-8-106, is amended by deleting subdivision (8) and substituting instead the following:

(8) Have a good moral character as determined by a thorough investigation conducted by the employing agency. For purposes of this section, a person is not deemed to have good moral character if the person is a member of a gang or terrorist organization, as determined by the employing agency. It is not the intent of this subdivision (8) to interfere with the exercise of rights protected by the Constitution of the United States. This subdivision (8) does not authorize an employing agency to consider a person's religious affiliation or incidents that occurred when the person was a minor to evaluate the person's moral character; and

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 3, is amended by adding the following new section:

(a) Membership in a gang or terrorist organization, as determined by an employing agency, is sufficient grounds for termination of a law enforcement officer by the officer's employing agency for lack of good moral character. It is not the intent of this section to interfere with the exercise of rights protected by the Constitution of the United States.

(b) An employing agency shall not consider a law enforcement officer's religious affiliation or incidents that occurred when the law enforcement officer was a minor in

determining whether to terminate the law enforcement officer's employment under this section.

(c) A person who reports to an employing agency that a law enforcement officer is a member of a gang or terrorist organization, and the person knows the report to be false commits a Class C misdemeanor, punishable by fine only.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.